



City of San Diego

Small Local Business (SLBE) Program INSTRUCTIONS FOR BIDDERS COMPLETING THE GOOD FAITH EFFORT SUBMITTAL

The Special Provisions for projects subject to the SLBE Program requires contractors to take affirmative steps to attract and utilize SLBE and ELBE firms.

As stated in Section VIII. 3, the information necessary to establish the bidder's adequate good faith efforts to meet the contract goal should include:

- A. The names and dates of each publication in which a request for SLBE-ELBE participation for this project was placed by the bidder. *Advertisements must be placed no less than 10 business days prior to the bid opening.*
 - 1. Advertising for SLBE-ELBE participation may be placed in newspapers, trade papers and on the Internet. *Advertising in trade and focus publications is mandatory.*
 - 2. Advertisement must be specific and must be worded to ensure it does not exclude or limit the number of potential respondents.
 - 3. When publishing in newspapers, the advertisement should be in the Bids Wanted, Legal Notices section of the Classified Ads, Subcontracting Opportunities or Business Opportunities **NOT** the Employment Opportunities Section.
 - 4. Bidders **MUST** provide proof of publication of each advertisement by providing the publication affidavit which must include a legible copy of the entire advertisement and the original ENTIRE page of the publication in which the advertisement appears.
 - 5. The more advertising the better. The wider the audience—particularly in trade and focus publications—the better a prime contractor can “get the word out” they plan to bid a project, the better potential for SLBE-ELBE firms to know about the project and to whom they should bid.
- B. The names and dates of written notices sent to the certified SLBE-ELBE

firms soliciting bids for this project and the dates and methods used for following up initial solicitations to determine with certainty whether the SLBE-ELBE firms were interested. ***Notices must be sent no less than 10 business days prior to bid opening.***

1. Direct solicitation of SLBE-ELBE firms by using the City's approved list is required. Fax, email or mail letters within the specified time frame. Submit copies of each of the letters sent or on master notification ***AND*** a) If mailed: provide copies of the metered envelopes or certified mail receipts b) If faxed: provide copies of the fax transmittal confirmation sheet(s) c) If emailed: provide copies of the email delivery confirmation sheet(s). No credit shall be given for error messages, busy, cancelled, undeliverable, etc.
 2. Solicitations and follow-up telephone contacts should occur within reasonable time before the opening bid date to allow the subcontractor time to prepare a quote to submit to the bidder. Telephone or e-mail logs, and fax receipts may be used to corroborate follow-up contacts. Note: A single follow-up call, email or fax on the date the bid is due is not sufficient follow-up!
- C. The items of work which the bidder made available to SLBE-ELBE firms, including, where appropriate, any breaking down of the contract work items (including those items normally performed by the bidder with its own forces, supplies and items with a dollar value of less than ½ of 1%) into economically feasible units to facilitate SLBE-ELBE participation. It is the bidder's responsibility to demonstrate that sufficient work to meet the SLBE-ELBE goal was made available to SLBE-ELBE firms.
1. Advertisements and solicitations should state which items or portions or work are being made available. ***The bidder should make as many items of work available as possible to meet the goal, including those items normally performed by the bidder with its own forces, supplies and items with a dollar value below 1/2 of 1% of the total bid.***
 2. In documenting the work made available to SLBE-ELBE firms, list the bid item number, description of the work and what portion of the item was offered, if applicable.
- D. The names, address and phone numbers of rejected SLBE-ELBE firms, the firms selected for that work, and the reasons for the bidder's choice.
1. All quotes received must be submitted with the bidder's Good Faith

Effort documentation including bids for areas of work that were not included in the outreach and quotes from both certified and non-certified subcontractors/vendors. Subcontractor bid amounts ***MUST*** match the bid-listed dollar amounts and the summary sheet dollar amounts ***MUST*** also match these amounts. All dollar amounts and scopes of work on the subcontractor/vendor bid must not be altered by the prime bidder. If a revision is necessary, a revised quote must be obtained and provided with the Good Faith Effort documentation. All verbal quotes ***MUST*** be substantiated by corresponding hard quote from the subcontractor/vendor and submitted with the Good Faith Effort documentation.

2. Submit a ***DETAILED*** summary sheet which includes a breakdown of the subcontractors/vendors who responded and their corresponding work areas, listed quoted amounts, the selected subcontractor/vendor, and the reasons for each selection and non-selection.
3. Bidders must act in good faith with interested SLBE-ELBE firms and cannot reject bids for other than legitimate business reasons.

E. Efforts made to assist interested SLBE-ELBE firms in obtaining bonding, lines of credit or insurance, and any work which was provided to the SLBE-ELBE firms.

1. Bidders are encouraged to assist SLBE-ELBE subcontractors in the areas of bonding (if required), lines of credit and insurance. Bidders shall inform SLBE-ELBE firms of this assistance in their solicitations. Bidders must also make plans and specs available to interested SLBE-ELBE firms.

F. Efforts made to assist interested SLBE-ELBE firms in obtaining necessary equipment, supplies, materials, or related assistance or services, excluding supplies and equipment the SLBE-ELBE subcontractor purchases or leases from the prime contractor or its affiliate.

1. Bidders are encouraged to assist SLBE-ELBE subcontractors in obtaining necessary equipment, supplies, materials, or related assistance or services, excluding supplies and equipment the SLBE-ELBE subcontractor purchases or leases from the prime contractor or its affiliates. Bidders shall inform SLBE-ELBE firms of this assistance in their solicitations.

- G. Identify any contacts with agencies, organizations or groups used or contacted to provide assistance in contacting, recruiting and using SLBE-ELBE firms, and any responses or assistance received from them.
 - 1. Include the names of agencies contacted to provide assistance in contracting, recruiting and using SLBE-ELBE firms, and evidence that the contractor utilized the City's approved list of SLBE-ELBE firms.
- H. Bidders ***MUST*** make plans and specs available to interested SLBE-ELBE firms.
 - 1. Bidder must provide subcontractors detailed information on how, where and when interested parties can obtain the plans and specifications for the project.
- I. Any additional data to support a demonstration of "good faith efforts."
 - 1. Describe any additional information which would demonstrate that adequate good faith efforts were made to meet the goal.
 - 2. The documentation to be submitted to the local agency should clearly demonstrate all efforts made by the bidder to meet the SLBE-ELBE goal.

NOTE: Be careful when referring to "See Attachments" without providing explicit information where to find the material. Clearly identifying these items as Attachment A, Attachment B, etc. is suggested. Attachments may include, but are not limited to, copies of advertisements, solicitations and logs of telephone follow-ups, e-mail or fax receipts.